

Petition for Termination of Guardianship

Age: 8		JEANINE BAKER , Mother, is Petitioner.	
		DOUGLAS and ELIDA BAKER , Maternal Grandparents, were appointed Guardians on 4-1-05.	
Cont. from 041713, 061213		Father: STEWART M. HAMBY - Declaration of Due Diligence filed 2-15-13	
<input type="checkbox"/>	Aff.Sub.Wit.	Paternal grandfather: Stewart L. Hamby Paternal grandmother: Cindy Bruer	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Siblings: Mackenzi Hamby, Levi Hamby	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Petitioner states she has worked really hard to have a stable relationship for five years, a stable job for three years, a 3-bedroom house for four years, two reliable cars, and has completed an outpatient rehab in 2009 and has been clean ever since. Petitioner is also concerned about Trenton's well being because he is not attending counseling and should grow up with his siblings, not as a single child. He needs to form a bond with them and the best way for that is to live in the same house with his brother and sister. They get more time that way. His brother and sister are outstanding in school and it would only be right that Trenton joins them. Petitioner feels she has missed out on so much of his life already and is asking the Court to reunite mother with son. Petitioner attaches a letter from the Fresno County Probation Dept. that states her 2-year probation and criminal case were dismissed on 7-27-10. Petitioner submitted additional letters of support on 4-15-13.	
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<input type="checkbox"/>	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:	
<u>Minute Order 4-17-13:</u> Ms. Hopper is appearing as counsel for Douglas Baker and Elida Baker. The Court is advised that there is a Family Court hearing on 4/29/13. The Court is provided the following case number for the adoption proceeding involving Jeanine Baker and Elida Baker: #13CEFL00860. Ms. Hopper requests that the proceeds in this matter be stayed pending the Family Court matter. The Court stays and continues these proceedings to 6/12/13. Continued to 6/12/13. Set on 6/12/13 for: Status Hearing Re: Family Court Matter.	
<u>As of 6-6-13, nothing further has been filed.</u>	
1. Need status of family law matter.	
2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §§ 1460(b)(5), 1214 on the following, unless the Court finds diligence and dispenses with notice: - Elida Baker (Maternal Grandmother/Guardian) - Cindy J. Hopper (Attorney for Guardians) - Stewart M. Hamby (Father)	
Reviewed by: skc	
Reviewed on: 8-15-13	
Updates:	
Recommendation:	
File 1A - Hamby	

1B	Trenton Douglas Hamby (GUARD/P)	Case No. 05CEPR00378
Atty	Baker, Jeanine (Pro Per – Mother – Petitioner)	
Atty	Hopper, Cindy (for Douglas and Elida Baker, Douglas and Elida – Maternal Grandparents – Guardians)	

Status Hearing Re: Family Court Matter

Age: 8	<p>DOUGLAS and ELIDA BAKER, Maternal Grandparents, were appointed Guardians on 4-11-05.</p> <p>JEANINE BAKER, Mother, filed a Petition for Termination of Guardianship on 2-15-13.</p> <p>At hearing on 4-17-13, Guardians were represented by Attorney Cindy Hopper and advised the Court that there is a family law matter pending for the adoption of the minor. Attorney Hopper requested that these proceeds be stayed pending the family court matter.</p> <p>The Court stayed and continued this petition to 6-12-13.</p> <p>On 6-12-13, the matter was continued to 8-20-13.</p> <p>As of 8-15-13, nothing further has been filed in this probate guardianship case.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from 061213		
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Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: skc</p> <p>Reviewed on: 8-15-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1B – Hamby</p>	

Atty Donaldson, Larry A., sole practitioner (for Petitioner Kenneth Roberts, Conservator)

First and Final Accounting

Age: 19 years		<p>KENNETH ROBERTS, paternal grandfather and Conservator of the Estate appointed on 8/6/2012 without the requirement of bond or a blocked account, is Petitioner.</p> <p>Order Appointing Probate Conservator filed 8/6/2012 finds Conservatee JESSICA ROBERTS voluntarily requested appointment of a conservator and good cause has been shown for the appointment. <i>Petition for Appointment of Probate Conservator</i> filed 5/22/2012 by the then-proposed Conservatee requested that Kenneth Roberts be appointed as Conservator of the Estate for the following reasons:</p> <ul style="list-style-type: none"> Proposed Conservatee and her sister, JENNIFER ROBERTS (Case #12CEPR00751, Jennifer Roberts Special Needs Trust) are each named 50% beneficiaries of the proceeds of a military life insurance policy on her deceased father, MICHAEL WAYNE ROBERTS (DOD 2/24/2012, Case #12CEPR00290), in the total amount of \$400,000.00, with proposed Conservatee's share consisting of \$200,000.00; Proposed Conservatee is a competent 18-year-old adult; however, the military requires that a beneficiary under the age of 21 have a conservator before they will pay the proceeds to the beneficiary; Proposed Conservatee requests the Court appoint her paternal grandfather as her conservator so that the insurance proceeds can be obtained by her grandfather on her behalf without the need and expense of obtaining a court order. <p>First and Final Accounting filed 6/13/2013 contains Exhibits A, B and E, and copies of receipts and distributions made by the Conservator during the period of administration. Said accounting does not contain a <i>Summary of Account</i>, period of the account, nor an itemization of any Conservator or Attorney fees paid from the Conservatorship Estate. <i>Schedule E, Cash Assets on Hand at the End of the Account Period</i>, shows cash assets on hand as of 3/17/2013 as \$0.00.</p> <p style="text-align: center;">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7/16/2013. The following issues from the last hearing remain:</p> <ol style="list-style-type: none"> Need Notice of Hearing and proof of 15 days' service of the Notice of Hearing pursuant to § 2621, § 1460(b)(6), § 1821(b) (which requires notice to the relatives of the Conservatee within the second degree), and CA Rule of Court 7.1054 for the following persons: <ul style="list-style-type: none"> Christina Roberts, mother; Jennifer Roberts, sister; Charlotte Roberts, grandmother; Gary Dawson, grandfather. <p>~Please see additional page~</p>
Cont. from 071613			
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UCCJEA			
Citation			
FTB Notice			

NEEDS/PROBLEMS/COMMENTS, continued:

2. *First and Final Accounting* filed 6/13/2013 does not comply with Probate Code §§ 2620 et seq., §§ 1060 et seq., the provisions for accountings of conservatorship estates, and with CA Rule of Court 7.575, most specifically with subsection(f) of 7.575 providing that all standard and simplified accounting filers must provide all information in their accounting schedules or their *Summary of Account* that is required by Probate Code §§ 1060 – 1063, and must provide all information required by Probate Code §§ 1064 in the petition for approval of their account or the report accompanying their account.
3. Conservator Kenneth Roberts is the appointed personal representative of the *Estate of Michael Roberts*, who was Kenneth Robert's son and the father of Jessica (the Conservatee) and her sister, Jennifer Roberts (age 15). Jennifer's 50% interest in her father's military life insurance benefits were placed into the *Jennifer Roberts Special Needs Trust*, of which Christina Roberts (mother) is Trustee. Christina Roberts requested withdrawal from the *Jennifer Roberts Special Needs Trust* to reimburse Kenneth Roberts, the instant Petitioner and Conservator, for expenses he paid for funeral expenses, house payments, and truck payments/repossession totaling **\$8,491.29**, and states as part of the request that because the Trustee was informed that the *Estate of Michael Roberts* has insufficient funds to pay these debts, Kenneth Roberts has sought half reimbursement from daughter Jessica (the instant Conservatee) and seeks the other half of the expenses from the *Jennifer Roberts Special Needs Trust*. Court may require explanation as to whether the **\$4,245.65** (1/2 of **\$8,491.29**) was paid from the *Conservatorship Estate of Jessica Roberts*; if so, this disbursement is not reflected in the instant accounting, and would not necessarily be an appropriate disbursement from the Conservatorship estate given the Conservatorship estate does not own the house or truck.
4. It appears the Conservatee, having been distributed her estate assets prior to Court order, may not have received the benefit of the Court's oversight and approval of how the conservatorship estate funds should have been disbursed (as noted above) and then distributed in their entirety, pursuant to a required order from the Court terminating the *Conservatorship of the Estate of Jessica Roberts* and distributing the assets to her only after approval of the accounting and petition for distribution per the Probate Code.
5. The *Conservatorship of the Estate of Jessica Roberts* appears not to have been established to protect funds of an incapacitated adult, but rather as a method of circumventing the military benefits policy set in place for protecting persons under the age of 21 who would receive military life insurance benefits by holding distribution until 21 years of age (much like settlors are often wont to do in trusts), such that Jessica Roberts was not only allowed to receive the military life insurance benefits prior to her reaching age 21, but was also distributed conservatorship estate assets prior to approval by order of this Court as required by the Probate Code.

Petition for Substituted Judgment to Create and Fund a Revocable Living Trust for
Conservatee

Age: 84		SUSAN BROWN , Daughter and Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner request authorization to execute the attached proposed trust, The WALTER EDWARD EASTWOOD REVOCABLE TRUST , on behalf of the Conservatee and to transfer into it the assets of the conservatorship estate as of the date of transfer.	Note: Petitioner was appointed as Conservator of the Person with medical consent and dementia medication and placement powers, and as Conservator of the Estate with bond of \$95,480.00, on 11-29-12.
<input type="checkbox"/>	Aff.Sub.Wit.	Petitioner states the Conservatee is 83 years of age, his wife now deceased. He has five adult children, including Petitioner, and Petitioner provides a list of all other relatives entitled to notice under §2581, including grandchildren.	Note: Attorney Flora Istanbulian was previously appointed to represent the Conservatee; however, her services as attorney of record were terminated on 1-31-13.
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	The Inventory and Appraisal filed 3-29-13 shows the value of the conservatorship estate as \$202,002.71, of which \$73,646.71 is cash. The Conservatee receives monthly income of approx. \$1,400.00 and his expenses are approx. \$1,400.00.	Note: I&A filed 3-29-13 includes \$73,646.71 cash, the residence in Clovis, and misc. personal property items.
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Petitioner states the Conservatee executed a Last Will and Testament in 1987 leaving his estate equally to his five children.	Note: The proposed trust names Petitioner Susan Brown as trustee and another daughter, Cynthia Taylor, as an alternate. The trust provides that upon the death of the beneficiary, the estate would be equally divided among the five children.
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Petitioner states that the assets of the conservatorship estate will likely result in the necessity of probate of his estate, with costs exceeding \$8,012.50. The primary purpose of the proposed trust is to avoid expenses of probate. The Conservatee is diagnosed with dementia, Alzheimer's type. He has received the support and love from his entire family and this trust expresses his wishes to have his children share equally in his estate. His children are the natural objects of his bounty and he has expressed the wish to have all of his children be his beneficiaries.	1. The Court may require clarification with reference to Probate Code §2583; specifically the existing will.
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Petitioner requests that this Court make an order:	Reviewed by: skc Reviewed on: 8-15-13 Updates: Recommendation: File 3A – Eastwood
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	1. Authorizing and directing Petitioner to execute the trust attached as Exhibit B; 2. Authorizing and directing Petitioner to transfer property currently held in the conservatorship estate to the trustee of the trust; and 3. For such other and further relief that the court may deem proper.	
<input type="checkbox"/>	Letters		
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<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
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<input type="checkbox"/>	FTB Notice		

**(1) Petition for Allowance of Compensation for Petitioner for Care of Conservatee
and (2) Fees for Attorney**

Age: 84		SUSAN BROWN , Daughter and Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner was appointed as Conservator of the Person and Estate on 11-29-12. Petitioner states she is and has been the	1. Petitioner provides "Time Cards" that indicate dates and hours, but there is no description of the services provided for each line item. The Court may require clarification per Cal. Rules of Court 7.751(b) and 7.702.
	Aff.Sub.Wit.	Conservatee's primary caregiver and requests compensation for care provided from October 2012 through June 2013 at \$10.00/hr for a total of \$8,205.50, plus \$549.45	2. The Court may require accounting prior to allowance of compensation pursuant to Cal. Rules of Court 7.752. Examiner notes that Local Rules also contemplate compensation upon completion of the first account. A status hearing is set for 4-4-14 for the filing of the first account.
✓	Verified		
	Inventory	mileage for travel to and from the Conservatee's residence to provide care. See Exhibit A (Time Cards) and Exhibit B (Mileage).	
	PTC		
	Not.Cred.	Petitioner also requests to pay her attorney Nance LeVan \$5,946.00 for services provided in connection with the conservatorship as well as with a family law elder abuse restraining order against a grandson. See Exhibit C.	
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			Reviewed by: skc
			Reviewed on: 8-15-13
			Updates:
			Recommendation:
			File 3B – Eastwood

4 Louie Anthony Ghidelli aka Louie A. Ghidelli aka Louie Ghidelli aka Louis A. Ghidelli (Det Succ)

Case No. 13CEPR00239

Atty Gin, Robert W. (for Petitioners)

Amended Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 04/30/01		<p>JERRY GHIDELLI, DEBORAH DANIEL, LINDA RUSS, GLORIA HAMILTON, BRENDA MACIEL, children of the decedent, and DONALD L. CALVILLO, in his capacity as the Washoe County Public Administrator as the appointed Administrator of the Estate of Sharon Ghidelli, are Petitioners.</p> <p>40 days since DOD.</p> <p>I & A - \$135,423.00</p> <p>Decedent died intestate.</p> <p>Petitioners request Court determination that Decedent's 1/5 interest in 7 parcels of real property located in Fresno County pass to them pursuant to intestate succession.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The Amended Petition is not marked at item 4(a) or (b) regarding residence in the state of California. Note: It is noted that the Petition filed 03/19/13 is marked at 4(b) indicating that the decedent was not a resident of California.</p> <p>2. Need Order.</p>
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		<p>Reviewed by: JF</p> <p>Reviewed on: 08/19/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 – Ghidelli</p>	

5 Marilyn Faith Springer (CONS/PE)
 Atty Boyett, Deborah K. (for Conservator David R. Springer)
 Atty Walters, Jennifer L. (court appointed for Conservatee)

Case No. 13CEPR00269

Petition for Payment of Attorney's Fees [Prob. C. 1470 et seq.]

Age: 71 years		<p>JENNIFER WALTERS, petitioner was Court appointed to represent the Conservatee on 4/4/2013.</p> <p>DAVID R. SPRINGER was appointed Conservator of the Person and Estate on 5/7/2013.</p> <p>Petitioner requests fees in connection with the representation of the Conservatee for David R. Springer's petition to appoint a conservator.</p> <p>Petitioner asks that she be paid from the conservatorship estate for 5.4 hours @ \$245.00 per hour for a total of \$1,323.00 and for costs of \$435.00 for the filing fee.</p> <p>Services are itemized by date and include review of documents, visits with client, and court appearances.</p>	NEEDS/PROBLEMS/COMMENTS:				
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<table border="1"> <tr> <td>Reviewed by: skc</td> </tr> <tr> <td>Reviewed on: 8-15-13</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 5 – Springer</td> </tr> </table>			Reviewed by: skc	Reviewed on: 8-15-13	Updates:	Recommendation:	File 5 – Springer
Reviewed by: skc							
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Updates:							
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File 5 – Springer							

Age: 8/17/2012		EDWARD SIMPSON , brother, is petitioner and requests appointment as Administrator. Petitioner was appointed special administrator for the sole purpose of speaking with the insurance company. Letters of Special Administration expire on 6/4/13. Full IAEA – o.k. Decedent died intestate. Residence: Reedley Publication: Fresno Business Journal Estimated value of the estate: Personal property - \$1,000,000.00 Probate Referee: Rick Smith	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 6-4-13, 7-23-13</u> <u>Minute Order 7-23-13:</u> Ms. Walters informs the Court that they are still working with the insurance. Ms. Walters requests a continuance. <u>As of 8-15-13, the following issues remain:</u> 1. Petition does not address bond. The decedent sole heir is his minor son. Therefore, bond should be set at \$1,000,000.00. 2. Need Letters	
Cont. from 060413, 072313				
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		Reviewed by: KT Reviewed on: 8-15-13 (skc) Updates: Recommendation: File 6 – Simpson		

Atty Boyajian, Thomas M (for Carl John Peterson – Petitioner – Former Spouse)

Petition for Probate of [Lost] Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 02/21/2013	CARL JOHN PETERSON , former spouse/named executor without bond, is petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 7/2/2013.</u> Minute Order [Judge Snauffer] states the Court directs the parties to submit their concerns in writing. Matter continued to 8/20/2013. <p align="center">~Please see additional page~</p>
Cont. from 070213	Full IAEA – o.k.	
✓ Aff.Sub.Wit.		
✓ Verified	Will dated: 06/19/2012	
Inventory		
PTC		
Not.Cred.	Residence: Clovis	
✓ Notice of Hrg	Publication: The Business Journal	
✓ Aff.Mail	W/	
✓ Aff.Pub.	Estimated value of the Estate:	
Sp.Ntc.	Personal property - \$434,000.00	
Pers.Serv.	Real property - \$325,000.00	
Conf. Screen	Total: - \$759,000.00	
✓ Letters	Probate Referee: Steven Diebert	
✓ Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV / LEG
		Reviewed on: 8/19/13
		Updates:
		Recommendation:
		File 7 - Gomes

NEEDS/PROBLEMS/COMMENTS, continued:

1. Petitioner states in the *Explanatory Declaration* filed 7/31/2013 that "the original statutory Will of the Decedent is not in the possession of the Petitioner at the moment and is not available." Probate Code § 6124 provides if the testator's Will was last in the testator's possession, the testator was competent until death, and neither the Will nor a duplicate original of the Will can be found after the testator's death, it is presumed that the testator destroyed the Will with intent to revoke it. This presumption is a presumption affecting the burden of producing evidence. If the proponents of the Will introduce no contrary evidence, the Court should find that the Will was revoked. *Declaration* filed 7/31/2013 states the submitted statutory Will is a "duplicate/copy." It does not appear that the copy of the Will that Petitioner has submitted constitutes a duplicate original. Further, *Attachment A, Declaration of Scott Ferguson* and *Declaration of Michelle Torres*, submitted by both of the subscribing witnesses to the Will (in addition to the *Proof of Subscribing Witness* filed 5/20/2013 by each of them) discuss the validity of execution of the Will and the Decedent's capacity at the time of making her Will. None of the Declarations discuss the status of the original Will other than stating it is not in Petitioner's possession and is not available, nor do they provide any evidence to support that her Will was not likely revoked by Decedent.
2. If Petitioner seeks to request the Court admit Decedent's Will as a "lost" Will following the Court's determination regarding whether Decedent revoked her Will (as noted above), Probate Code § 8223 provides a petition for probate of a lost or destroyed Will shall include a written statement of the testamentary words or their substance. If the Will is proved, the provisions of the Will shall be set forth in the order admitting the Will to probate. If Court grants the petition for probate of Decedent's Will as a "lost" Will, pursuant to Probate Code § 8223, need revised proposed order containing the provisions of the lost Will (i.e., a copy of the Will attached to the order with a signature line included on the last page of the Will for the Court's approval.)
3. Proposed letters submitted by Petitioner have been altered with whiteout at Item 2, and do not indicate that Petitioner will be appointed as executor of Decedent's "lost" Will. Need revised proposed letters.

Note: If the petition is granted, status hearings will be set as follows:

- **Friday, 1/24/2014 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal; **and**
- **Friday, 10/23/2015 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.

Atty McCloskey, Daniel T. (for Gregory L. Taylor – Petitioner – Son)

Atty Anderson, Bonnie J. (for Diane Elizabeth Taylor – Objector)

Amended Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 02/16/2009		GREGORY L. TAYLOR , son is petitioner and requests appointment as Administrator with will annexed without bond. Named Executor declines to act. Sole heir waives bond Full IAEA – o.k. Will dated: 08/02/1989 Residence: Fresno Publication: The Business Journal <u>Estimated value of the Estate</u> Personal property - \$200,000.00 Probate Referee: Steven Diebert	NEEDS/PROBLEMS/COMMENTS: Minute Order of 07/09/2013: Bonnie J. Anderson appearing on behalf of Diane Taylor, Objector. Joshua F. Richtel appearing for Daniel T. McCloskey on behalf of Gregory Taylor. There is no objection on file by Diane Taylor, objection to be filed in/by statutory time. Petitioners are to lodge appropriate amended documents, will and/or codicil. The Court encourages parties to discuss situation. <u>Note:</u> If the petition is granted status hearings will be set as follows: • Friday, 01/17/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 10/17/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.	
Cont. from 070913				
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	PTC			
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✓	Notice of Hrg			
✓	Aff.Mail			w/
✓	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Declaration of Gregory Taylor in Support of Petition for Letters of Administration filed 08/05/2013 states that he is the son of the decedent and the petitioner in the within action, filed with above named Court on 05/31/2013 in a Petition for Probate of Will and for Letters Testamentary and authorization to administer under the Independent Administration of Estates Act.

The Court clerk set the matter for hearing on 07/09/2013. Attached to the petition the Last Will and Testament of George Taylor, the decedent, petitioner's father. The Will nominated Carol Jean Taylor as the Executrix of the Will. Carol Jean Taylor had predeceased the decedent. The Will then nominated Lillian Fumiyo Cox of Grover City, California to serve as Executrix without bond. Lillian Cox declined to act as Executrix pursuant to the Declination to Act as Executor Under Will which was attached to the Petition for Probate.

Please see additional page

• **Friday, 01/17/2014 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal and

• **Friday, 10/17/2014 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.

Reviewed by: LV

Reviewed on: 08/16/2013

Updates:

Recommendation:

File 8A – Taylor

Declaration continued: After filing the Petition for Probate, the matter was set for a hearing and a Notice of Petition to Administer Estate and subsequent Proof of Publication was filed with the Court.

Joshua Richtel, Attorney at Law, of Tuttle & McCloskey, a Professional Corporation, appeared on petitioner's behalf at the hearing on 07/09/2013.

At the hearing, Bonnie J. Anderson, Attorney at Law, spoke to the court regarding representing petitioner's half sister, Diane Taylor.

It is the petitioner's belief that Ms. Anderson advised the court that she represented Diane Taylor and that there was an "amendment" to the Will signed by petitioner's father and his wife.

Petitioner has a copy of the document that he was informed and believes that Ms. Anderson alleges is an amendment to the Will of the decedent. A true and correct copy of the document is attached as Exhibit A.

It is the petitioner's belief that the document is not a valid codicil to the Will of his father, George Taylor. The document lacks two witness' signatures. The document is purportedly signed by both petitioner's father and mother at the same time of signing and, to the best of his knowledge, there are no separate codicils of either decedent. The document purports to be an amendment to "the will of George and Carol Taylor" and petitioner is aware of no joint will between the decedent and his wife.

Without two witnesses' signatures, the document was determined by petitioner's attorney not to be a valid codicil. Nonetheless, petitioner is prepared upon appointment, to petition the court and allow the court to decide through a petition process whether or not the "amendment" is a valid codicil without the signatures and with the confusing reference.

To date, petitioner's attorney has not received any written opposition and/or objection as required both under the Probate Code and Local Rules of Court. Petitioner's attorney did receive a letter when he requested Ms. Anderson to provide a copy of the document she claimed was the codicil. Petitioner's attorney received the two page letter that is attached as Exhibit B.

To date, no written objection has been received to the appointment, and therefore reserve the right to further amend this declaration in anticipation of the need to respond thereto.

Objections to Amended Petition for Letters of Administration, Authorization to Administer Under the Independent Administration of Estates Act and Probate of Will and Codicils filed by Attorney Bonnie J. Anderson, Esq on 08/15/2013 states Objector, Diane Elizabeth Taylor, an individual, objects to the amended petition filed by Gregory L. Taylor in the matter of the Estate of George Feodor Taylor, and alleges as follows:

Please see additional page

At all times alleged herein, Objector was and is a resident of the city and county of Fresno, California, and the natural child (daughter) of Decedent and his first wife.

At all times alleged herein, Petitioner was and is a resident of the city and county of Fresno, California, the son of the Decedent and his second wife and, since approximately February 16, 2009, the owner or purported owner of one-half of the real property identified and described in Paragraph 3.b of the Initial Petition and Amended Petition.

On February 16, 2009, Decedent died in Fresno County, California.

At the time of his death, Decedent was a resident of the City of Clovis, Fresno County, California, and the owner or previous owner of the real property located in the city of Clovis, Fresno County, California, identified and described in Paragraph 3.b. of the Initial Petition and Amended Petition, and the owner or previous owner of personal property i.e., cash, retirement accounts, bank accounts, household furnishings, etc. all of which have been intentionally omitted from identification and description from Paragraph 3.c. of the verified Initial Petition and verified Amended Petition by Petitioner.

Petitioner was aware of Decedent's death within 24 hours of the Decedent's death.

Petitioner did not file a petition to probate within 30 days of learning of Decedent's death as required under Probate Code §§ 8000, 8001, 8200 and failed to notify the Objector of the inheritance until such information was revealed to her by another interested person and co-beneficiary, Ashlee Sophia Taylor, whose name and information was intentionally omitted by Petitioner in the verified Initial Petition and verified Amended Petition.

Objector is informed, believes and thereon alleges that on or about 05/31/2013, Petition filed his verified Initial Petition for probate of a document dated 08/02/1989, purporting to be the last will of Decedent; for appointment of Petitioner as administrator, and for full authority to administer the estate under the Independent Administration of Estates Act.

The verified Initial Petition contains false claims and omits material information pertaining to Decedent's estate, Decedent's last will and testament executed in 2006 and identifies all interested persons as require under Probate Code § 8002.

On 07/09/2013, Objector, through her counsel of record, timely and in accordance with Probate Code § 1043 orally objected to the Initial Petition and requests of Petitioner.

On 07/09/2013 the Court ordered and Amended Petition be filed by Petitioner with all amendments and/or codicils and Objector to file and serve her written objections to the Initial Petition within the time proscribed by law.

Objector is informed, believes and thereon alleges that on or about 08/05/2013, petitioner filed his verified Amended Petition with outdated attachments and the same false and incomplete information contained in the Initial Petition and with an undated and inadmissible Declaration of Gregory Taylor in Support of Petition for Letters of Administration with exhibits, including the 2006 amendment to the 1989 Document executed by Decedent on 11/07/2006.

Please see additional page

Objector is informed, believes and thereon alleges that on 08/05/2013, at 4:20pm, Petitioner's Amended Petition with outdated attachments and the same false and incomplete information contained in the Initial Petition and an undated and inadmissible Declaration of Gregory Taylor with exhibits were personally delivered to Objector's counsel. Objector is further informed, believes and thereon alleges that Petitioner did not serve an Amended Notice with his Amended Petition and undated Declaration as required by law and/or local rule.

As of the date the verification to this Objection was signed, Petitioner did not provide notice of his Amended Petition with the undated and inadmissible Declaration of Gregory Taylor with exhibits or updated attachments to and accurate information within the Amended Petition upon all interested persons required which pleading restates and supersedes the Initial Petition for all purposes as required by law and/or local rule.

As of the date the verification to this Objection was signed, the Objector has not received service of the Amended Notice, amended Petition or proof of publication of the Amended Notice as required by Probate Code §§ 8003, 8110, 8120 and 8250.

This Objection is filed within the time proscribed under Fresno County Local Rule, 7.4.2.

Objector is a person interested in the devolution of the estate of Decedent and entitled to object to admission of the 1989 Document to probate in that Objector is the natural daughter of Decedent and his first wife, an interested person and beneficiary under the 2006 Amendment which was intentionally omitted from the false and verified Initial Petition and false and verified Amended Petition.

Objector is a person interested in the personal property omitted and not identified or described by Petitioner in Paragraph 3.c of his verified and false Initial Petition and verified and false Amended Petition because she is a beneficiary of Decedent and Petitioner has taken, spent, used, fraudulently transferred, concealed, concerted and/or otherwise hypothecated Objector's inheritance without the lawful right to do so and in violation of Decedent's wishes set forth in the 2006 Amendment.

Objector obtained a copy of the 2006 Amendment on or about 07/08/2013.

In accordance with the wishes of Decedent as set forth in the 2006 Amendment, Petitioner has already distributed to co-beneficiary and Respondent Ashlee Sophia Taylor a monetary inheritance in the approximate and partial amount of \$65,000.00 with additional amounts to have been disbursed pursuant to the 2006 Amendment and the right to occupancy and/or ownership of the real property described in Paragraph 3.b. of the Initial Petition and Amended Petition.

Probate of the 1989 Document should be denied on the following grounds:

- 1989 Document is not Decedent's last will and testament.
- Prior to the Decedent's death, he had executed the 2006 Amendment in which, inter alia, he devised a portion of his estate to Objector, a nephew of Objector and Petitioner, William Theodore (Taylor) Spicer, and Objector's daughter, Ashlee Sophia Taylor.
- The 2006 Amendment changed the distribution of properties and monies in the 1989 Document.
- The verified Initial Petition and Amended Petition each contain fraudulent claims, information and material omissions of fact and information statutorily required which are and were known to Petitioner at all times prior to, during and after his execution of the fraudulent documents filed with this court.
- Petitioner filed his false and verified Initial Petition and Amended Petition as a means to further delay and/or avoid disbursing the monetary inheritance to Objector in accordance with the 2006 Amendment while fraudulently failing to disclose the 2006 Amendment which is the Decedent's last will and testament.

Please see additional page

- Petitioner has acted with unclean hands in and about the matters pertaining to the false and verified Initial Petition, the false and verified Amended Petition and the 2006 Amendment in that, for example, from and after Decedent's death Petitioner took, used, transferred, gifted, concealed, converted or otherwise hypothecated the monetary inheritance due Objector and other assets of the estate, engaged in threats and intimidation in an effort to prevent disclosure of the 2006 Amendment and bequests identified therein, breached a fiduciary duty to maintain and protect the assets of Decedent's estate, falsified documents pertaining to Decedent's assets and bequests, failed to provide notice of death to all persons and/or entities as required by law thereby exposing the estate to potential and/or actual tax and/or other liabilities, as alleged herein.
- Petitioner has engaged in fraud and misrepresentation in all matters pertaining to Decedent's estate and the 2006 Amendment including without limitation,
 - a) the filing of a false petition for probate – initial and amended,
 - b) filing of a false and undated declaration not based on personal knowledge and thus lacking in evidentiary value as a matter of law (C.C.P. § 585(d),
 - c) fraudulently presenting the 1989 Document which Petitioner knew and knows is not Decedent's last will and testament,
 - d) falsely decrying the existence and validity of the 2006 Amendment under which Petition has operated from and after Decedent's death, to Petitioner's benefit and Objector's detriment.
 - e) falsely denying and thereafter refusing to disclose the existence of the 2006 Amendment and bequest to Objector contained therein until such information was disclosed to Objector by interested person and co-beneficiary, Respondent Ashlee Sophia Taylor,
 - f) making repeated material representations and promises to Objector that Petitioner would deliver to Objector the monetary inheritance left to her by Decedent under the 2006 Amendment which representations and promises Petitioner knew to be false at the time they were made and which were made with the intent to obtain and which did obtain Objector's reasonable reliance, and to delay and/or avoid delivery of the monetary inheritance bequeathed to Objector, when all the while Petitioner was simultaneously exploiting Objector's reasonable trust in Petitioner, Objector's brother, during which time he took, used, transferred, gifted, concealed, converted or otherwise hypothecated the monetary inheritance due Objector and other assets of the estate, thereby causing damage and harm to Objector.
- The Court lacks jurisdiction in that Petitioner's false and verified Initial Petition and Amended Petition are legal fictions Petitioner created and field in an attempt to create jurisdiction of what is a civil dispute in this probate court instead of civil court where a breach of contract dispute is more properly venued, to wit, Petitioner is in breach of an oral and written agreement under which Petitioner agreed to pay the monetary inheritance of \$20,000.00 left to Objector in the 2006 Amendment, and has failed to do so despite multiple representations and promises to do so, despite demand.
- Petitioner filed his false and verified Initial Petition and Amended Petition to avoid having to account for and disclose the full value of the Decedent's estate including the personal property assets which Objector is informed, believes and thereon alleges Petition has already spent transferred, gifted, concealed converted, or otherwise hypothecated without the lawful right to do so, which assets of Decedent's estate Petitioner has completely omitted from Paragraph 3.c. in his false and verified Initial Petition and Amended Petition.

Please see additional page

Petitioner obtained the assets of Decedent's estate by fraudulent and unlawful means including without limitation: converting the assets; using threats and intimidation to prevent the disclosure of the 2006 Amendment; breached of his fiduciary duty to decedent, his estate and named beneficiaries by failing to act with the highest of good faith and fair dealing, to avoid taking any unfair advantage of Decedent and beneficiaries in the management and control of Decedent's estate, and by failing to protect the assets of the state and to take appropriate actions to secure the assets of the estate including without limitation assets when requested.

- Petitioner has knowingly and under penalty of perjury and present false documents to the court and Objector, to wit, a false Initial Petition and a false Amended Petition which omits material information pertaining to Decedent's estate, the 2006 Amendment, and the named and information of all interested persons entitled to notice of the Initial Petition and Amended Petition, an undated and inadmissible declaration, and has further failed to provide any notice of the Amended Petition to each of the individuals identified in the false initial Petition and false Amended Petition as evidenced by the proof of service attached to the false Amended Petition.
- From and after Decedent's death, Petitioner has acted under the 2006 Amendment which supersedes the 1989 Document.
- Objector is informed, believes and thereon alleges that upon and after Decedent's death Petitioner took possession and secreted all monetary accounts, retirement accounts, cash, bank accounts, and other personal property of the Decedent's estate, location and value of all assets including those that Petitioner spent, transferred, gifted, concealed, converted or otherwise hypothecated without the lawful right to do so.
- Petitioner has not established any grounds to support the requested orders and has instead twice falsely proffered the 1989 Document as the last will and testament of Decedent which at all times referred to herein Petitioner knew and knows is not the operative testamentary document of decedent.
- Objector alleges petitioner has failed to meet his burden of proof as to the admissibility and validity of the 1989 Document, therefore the Court must deny petitioner's requests.

Wherefore, Objector prays:

1. That the 1989 Document be denied probate;
2. That Objector be awarded reasonable attorney's fees according to proof;
3. That Objector be awarded costs of suit;
4. For such other and further relief as the Court deems proper.

(1) First and Final Accounting and Report of Conservator of Person and Estate, (2)
 Petition for Allowance of Termination of Conservatorship and Discharge of
 Conservator

DOD: 12-6-13		JAMES P. STAICER , Son and Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 6-29-12 through 7-1-13	<ol style="list-style-type: none"> The accounting is not in compliance with Probate Code §2620(b), which requires a separate accounting for the period after the conservatee's date of death. The Court may require clarification or amendment. Petitioner did not use the mandatory Judicial Council forms for accounting. See Forms GC-400 (Summary), etc. The accounting does not balance – Charges and Credits do not match. Probate Code §1060 et seq. See Exhibit E. Need clarification. <i>Note: It is unclear if there is anything left at this time in the conservatorship estate. The narrative appears to indicate that all funds have been transferred to the Conservatee's trust; however, the Summary indicates \$17,840.39 as POH at the end of the account period. Need clarification.</i> The Court may require itemization for attorney fees pursuant to Cal. Rules of Court 7.751(b).
		Accounting: \$18,840.07 / \$993.68 Beginning POH: \$18,512.37 Ending POH: \$17,840.39	
<input type="checkbox"/>	Aff.Sub.Wit.		Reviewed by: skc Reviewed on: 8-16-13 Updates: Recommendation: File 9 – Staicer
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Conservator: Not requested	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Attorney: \$4,500.00 (for 25 hours at a reduced rate of \$180/hr)	
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Petitioner states conservatorship was necessary to enable Petitioner to access a 403(b) retirement account that was not transferred into the Conservatee's trust when it was created. American United Life Insurance Company was not satisfied that the Trust, the Advance Health Care Directive, or the Special Power of Attorney could be used to transfer the funds into the trust; therefore conservatorship was necessary. After issuance of letters, the transfer was allowed. The account was never utilized by the conservatorship estate or accessed by Petitioner because funds never became necessary before the Conservatee's death. Petitioner has provided trust account statements as a reference to clarify the status of the accounts.	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	2620(c)		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Petitioner requests an order: <ol style="list-style-type: none"> Approving, allowing, and settling the account; Terminating the conservatorship; discharging the conservator and the surety on the bond; and Authorizing payment of \$4,500.00 to the attorney for legal services to the conservatorship during the account period. 	

(1) First and Final Accounting and Report of Conservator of Person and Estate, (2)
Petition for Allowance of Termination of Conservatorship and Discharge of
Conservator

Age: 90		JAMES P. STAICER , Son and Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:	
		Account period: 6-29-12 through 7-1-13	<p>5. Petitioner did not use the mandatory Judicial Council forms for accounting. See Forms GC-400 (Summary), etc.</p> <p>6. The accounting does not balance – Charges and Credits do not match. Probate Code §1060 et seq. Need clarification.</p> <p>7. The Beginning POH listed in the Summary does not match the amount listed on the I&A filed 9-28-12.</p> <p>8. The Court may require itemization for attorney fees pursuant to Cal. Rules of Court 7.751(b).</p>	
		Accounting: \$66,168.79 / 66,675.39		
		Beginning POH: \$66,657.39 (does not match I&A)		
		Ending POH: \$0.00		
		Conservator: Not requested		
		Attorney: \$4,500.00 (for 25 hours at a reduced rate of \$180/hr)		
		<p>Petitioner states conservatorship was necessary to enable Petitioner to access an annuity that was not transferred into the Conservatee's trust when it was created. American United Life Insurance Company was not satisfied that the Trust, the Advance Health Care Directive, or the Special Power of Attorney could be used to transfer the funds into the trust; therefore conservatorship was necessary. After issuance of letters, the transfer was allowed. The account was never utilized by the conservatorship estate or accessed by Petitioner because funds never became necessary before the Conservatee's death. Petitioner has provided trust account statements as a reference to clarify the status of the accounts. Petitioner further states conservatorship is no longer necessary and has become detrimental to the Conservatee and his estate due to the associated costs.</p> <p>Petitioner requests an order:</p> <ol style="list-style-type: none"> 4. Approving, allowing, and settling the account; 5. Terminating the conservatorship; discharging the conservator and the surety on the bond; and 6. Authorizing payment of \$4,500.00 to the attorney for legal services to the conservatorship during the account period. 		
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input checked="" type="checkbox"/>	2620(c)			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: skc

Reviewed on: 8-16-13

Updates:

Recommendation:

File 10 – Staicer

Age: 17			TEMP EXPIRES 8-20-13 CHAREE LEE BOGGS and CLAUDE BOGGS, JR. , paternal grandparents, filed for guardianship of Samantha Leona Boggs (17). Temporary guardianship was granted to Charee and Claude Boggs, and has been extended to 8-20-13. Father: RANDY BOGGS Mother: TONYA BOGGS Maternal grandfather: Not listed Maternal grandmother: Not listed Sibling: Shawn Boggs, Adrienne Boggs (ages not provided) TONYA BOGGS , Mother, filed a competing petition requesting instead that PATRICIA LYNNE REAGAN , paternal step-grandmother, be appointed as Samantha's guardian. At Court Trial on 7-9-13 , the parties agreed to attend mediation and the Court extended temporary guardianship to 8-20-13. Declaration of Claude Boggs filed 8-16-13.	NEEDS/PROBLEMS/COMMENTS:
	Aff.Sub.Wit.			
	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: skc				
Reviewed on: 8-16-13				
Updates:				
Recommendation:				
File 11 – Boggs				

Petition for Termination of Guardianship

Age: 16		MARGARET SOCORRO CARTER , Paternal Grandmother and Guardian, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:	
		Father: Max Talmidge Carter - Consents and waives notice	1. The Court may require notice to other relatives (siblings, etc.) as required by Probate Code §1460(b)(5).	
		Mother: Lorrie Ann Gonzalez (Rivas) - Consents and waives notice		
<input type="checkbox"/>	Aff.Sub.Wit.	<p>Petitioner states she was originally appointed in 1999 as guardian of Jasmine and her two sisters, who are now adults. At this time, Petitioner is 75 years of age and can no longer handle caring for Jasmine, who has special needs and requires medication and therapy. Petitioner states the father was released from incarceration over 10 years ago, remarried nine years ago, and resides in Carson City, NV. The father can now provide a stable, loving home for the minor child. He is more than willing to resume his paternal duties including doing everything he can to ensure her medical needs are met. Jasmine has been visiting with her father in NV for substantial periods of time and has her own bedroom at his house. Their relationship is stable. It is in the minor's best interest to be relinquished to the custody of her father and be allowed to move permanently to NV to reside with him. The mother also agrees. The minor and both parents have signed consent and waive notice of this hearing.</p> <p>Court Investigator Charlotte Bien filed a report on 8-8-13 that recommends that the petition be GRANTED and that guardianship be terminated.</p>		
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 8-16-13	
			Updates:	
			Recommendation:	
			File 12 – Carter	

13

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 10		<u>TEMPORARY EXPIRES 08/20/2013</u>		NEEDS/PROBLEMS/COMMENTS:	
		DEBBIE WRIGHT , non-relative, is petitioner.		<ol style="list-style-type: none"> Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Andy Contreras (Father) – was served by mail on 07/16/2013 however personal service is required pursuant to Probate Code § 1511. Lalaina Delgado (Mother) Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Paternal Grandfather Maternal Grandparents Petition indicates that the child may be a member of or eligible for membership in the Cherokee Nation. Therefore, a Notice of Child Custody Proceeding for Indian Child (Form ICWA-030), must be served together with copies of petition and all attachments, including this form, on the child's parent; any Indian custodian; any Indian tribe that may have a connection to the child; the Bureau of Indian Affairs (BIA), and possibly the U.S. Secretary of the Interior, by certified or registered U.S. Mail, return receipt requested. (Please see Probate Code 1460.2, and CA Rules of Court 7.1015) 	
		Father: ANDY CONTRERAS , served by mail on 07/16/2013			
Cont. from 071513		Mother: LALAINA DELGADO			
	Aff.Sub.Wit.		Paternal Grandfather: Unknown		
✓	Verified		Paternal Grandmother: Mary Tapia, deceased		
	Inventory		Maternal Grandparents: Unknown		
	PTC				
	Not.Cred.				
	Notice of Hrg	x			
	Aff.Mail	x			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	x			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report	x			
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
		Petitioner states: that she is the ex-girlfriend of the minor's father. She states that on 05/02/2013, Social Worker, Staci Moffatt, appeared at her home and informed her that she is not legally able to administer the minor's daily medication for ADHD and that guardianship would be required. Petitioner alleges that the child's father was arrested at the petitioner's home on 03/10/2013 and currently remains incarcerated on two counts of indecent exposure. The father attended a hearing on 11/10/2011 in Kings County for indecent exposure. Petitioner alleges that the father was exposing himself and masturbating in public where children were present. Petitioner states that the mother left the child when he was nine months old and has only spoken with his mother once in his life. Petitioner alleges that the paternal aunt, Yadira Sanchez, has had the child reside with her at times however the child informed the petitioner that his fifteen year old cousin has been molesting him since he was four years old in his aunt's home.			
		Declaration filed 07/17/2013 which include numerous letters in support of the petition for guardianship.			
		<u>Please see additional page</u>			
				Reviewed by: LV	
				Reviewed on: 08/15/2013	
				Updates:	
				Recommendation:	
				File 14 – Contreras	

Court Investigator Julie Negrete's Supplemental Investigator's Report filed 07/10/2013.

DSS Investigator Keith M. Hodge, DSS, and Staci Moffatt, DSS, report filed 08/14/2013.

Note: A blank copy of the *Notice of Child Custody Proceeding for Indian Child* (Form ICWA-030) is in the file to hand to petitioner at the hearing. Petitioner should complete the form and return it to the probate clerk for mailing.

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 14			TEMP EXPIRES 8-20-13	NEEDS/PROBLEMS/COMMENTS:
			ANTONIA RODRIGUEZ , Paternal Grandmother, is Petitioner.	<u>Minute Order 6-27-13 (Temp):</u> Mother is present and objects to the guardianship. Contact information provided.
			Father: MANUEL MARTINEZ RODRIGUEZ - Consents and waives notice	
			Mother: REBECCA A MANJARREZ - Personally served 6-18-13 - Mailed service 7-11-13	<u>Note:</u> As of 8-19-13, no written objections have been filed.
			Paternal Grandfather: Manuel Rodriguez - Mailed service 7-11-13	
			Maternal Grandfather: Joe Manjarrez - Mailed service 7-11-13	
			Maternal Grandmother: Petra Manjarrez - Deceased	
			Siblings: Jesse Padilla, Martin Gonzalez - Personally served 6-21-13	
			Minor Victoria M. Rodriguez consents and waives notice.	
			Petitioner states the minor has resided with her since birth. At this time, the mother continues to use drugs, and currently resides with her father, who is a registered sex offender. In April and May 2013, the minor resided with the mother; however, this resulted in excessive absences from school. The petition describes an incident in June 2013 where the minor was with Petitioner and the mother alleged to Fresno PD that Petitioner was keeping her without her consent. However, the minor refused to go with her mother and the mother was found to be under the influence along with a minor niece. The father is currently in Fresno County Jail.	
			Court Investigator Jennifer Daniel filed a report on 8-14-13.	
Aff.Sub.Wit.				Reviewed by: skc
✓	Verified			Reviewed on: 8-19-13
	Inventory			Updates:
	PTC			Recommendation:
	Not.Cred.			File 15 – Rodriguez
✓	Notice of Hrg			
✓	Aff.Mail	W		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	W		
	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			